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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/523,990	03/13/2000	Mou-Shiung Lin	MEG99-005	6138
28112 7590 07/27/2009 SAILE ACKERMAN LLC 28 DAVIS AVENUE POUGHKEEPSIE, NY 12603				
EXAMINER WALSH, DANIEL I				
ART UNIT 2887		PAPER NUMBER		
MAIL DATE 07/27/2009		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No. 09/523,990	Applicant(s) LIN ET AL.
Examiner DANIEL WALSH	Art Unit 2887

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 13 July 2009 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see note below.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/DANIEL WALSH/
Primary Examiner, Art Unit 2887

NOTE: The Applicants arguments have been considered, but do not place the application in better condition for allowance. Re the Applicants argument that the claims are patentably distinguished over Hikita et al./Hiromasa/Flip Chip (of record), the Examiner respectfully disagrees. Hikita et al. teaches that the information is on the back face of the semiconductor chip, but is silent to a transparent coating for covering it (as discussed in the action). Hiromasa is relied upon for teaching a transparent coating over top of information for protection/security. Regardless of the mention of a mold in Hikita et al., the Examiner notes that covering identification as taught by Hikita et al., with an information covering material such as Hiromasa, is still believed to be obvious in order to have protection/security. The Examiner reiterates that the protecting coating of Hiromasa (4) is being relied upon for covering identification information, and therefore covering the information of Hikita et al. with such a coating, would therefore provide the expected results of protection/security.

Re the Applicants argument the package material 2 is not transparent, the Examiner notes that material 4, which covers the information, is being relied upon for a transparent coating for information, and not that package 2 is a transparent coating, where package 2 is capable of being interpreted as a semiconductor chip.

Re Applicants arguments regarding the rejection in view of Hyozo et al./Hiromasa/Flip Chip, similar reasoning applies. Hyozo et al. teaches information on a chip. Hiromasa is relied upon for teaching a protective coating over the information, the coating being transparent, as discussed above, for security. Having a laminate layer does not preclude the use of a protective layer, such as that taught by Hiromasa.

Generally, the Examiner notes that Hiromasa is relied upon for teaching a transparent coating to protect/provide security to information. Such a coating is believed to be obvious to one of ordinary skill in the art, to apply over information, for such predicted results. The Examiner does not believe that the entire structure of Hiromasa need be used when combined with other references, as it is primarily used for its teachings of a transparent coating over information, that is deemed applicable to other substrates that have information on them, in order to protect/secure the information therewithin, without requiring the complete structure of Hiromasa to be included. Additionally, the Examiner does not believe the teaching of a laminate precludes the use of the Hiromasa coating.

The Examiner notes that it appears that the Applicant is arguing that the combination of references would require combinations of all of the elements of each reference, when the Examiner notes that he is not necessarily relying on all elements of a specific teaching. For example, the Examiner notes that it would be within the ordinary skill in the art to use the transparent information coating of Hiromasa in other applications/structures, and does not require the specific structure as taught by Hiromasa to yield expected results of security/protection.